

STATE OF VERMONT
PUBLIC SERVICE BOARD

Docket No. 7645

Petition of Cross Pollination, Inc., for a certificate of)
public good, pursuant to 30 V.S.A. Section 248,)
authorizing the construction and operation of a 2.2 MW)
solar electric generation facility, consisting of 22 rows of)
rack-mounted photovoltaic panels approximately 10 feet)
in height, on the eastern side of Route 7 in the Town of)
New Haven, Vermont)

Order entered: 8/10/2011

ORDER DENYING MOTION FOR RECONSIDERATION

On July 18, 2011, Mr. John Madden filed a motion, pursuant to V.R.C.P. 59, asking the Public Service Board ("Board") to reconsider its final Order in this docket, dated July 8, 2011. The petitioner, Cross Pollination, Inc., filed a response on August 4, in which it notes that V.R.C.P. 59 and 60 give a Vermont court wide latitude to correct mistakes, to consider newly discovered evidence, and to otherwise amend a final judgment as justice may require, but is not a procedural device for re-arguing positions that were rejected in the Board's Order.

The materials included in support of Mr. Madden's motion do not point to any alleged error in the record, nor do they point to the existence of evidence that was not available at the time of the technical hearing in this matter. Instead, they are a reiteration of various news accounts, legal publications, and position papers that were included in his earlier filings in this case. The Hearing Officer's proposed decision, which we adopted, was fully supported by competent, un rebutted witness testimony. Mr. Madden's filing presents no persuasive reason for this Board to reconsider its final Order. Accordingly, Mr. Madden's motion for reconsideration is denied.

SO ORDERED.

Dated at Montpelier, Vermont, this 10th day of August, 2011.

<u>s/James Volz</u>)	
)	PUBLIC SERVICE
)	
<u>s/David C. Coen</u>)	BOARD
)	
)	OF VERMONT
<u>s/John D. Burke</u>)	

OFFICE OF THE CLERK

FILED: August 10, 2011

ATTEST: s/Susan M. Hudson
Clerk of the Board

NOTICE TO READERS: This decision is subject to revision of technical errors. Readers are requested to notify the Clerk of the Board (by e-mail, telephone, or in writing) of any apparent errors, in order that any necessary corrections may be made. (E-mail address: psb.clerk@state.vt.us)